

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

_____)	
STEVEN C. FUSTOLO,)	Chapter 7
)	Case No. 13-12692-JNF
Debtor.)	
_____)	
THE PATRIOT GROUP, LLC,)	
)	
Plaintiff,)	Adversary Proceeding
)	No. 15-01015-JNF
v.)	
)	
STEVEN C. FUSTOLO, and)	
JOHN DOES 1-10,)	
)	
Defendants.)	

DECLARATION OF KIM HOPKINS

I, Kim Hopkins, do hereby depose and state as follows:

1. I am Assistant to the President at Old Hill Partners Inc. ("Old Hill"). I make this Declaration in response to Defendant Steven C. Fustolo's Third Status Report and Request for URL- Specific Order and to inform the court of the misrepresentations therein.

2. In September, 2014, Old Hill Partners hired the law firm of Davis & Gilbert to assist us in the removal of the false, defamatory and harassing articles posted on the internet (the "cyber attack"). Davis and Gilbert were successful in removing approximately 252 postings across various sites over a six month period.

3. The Defendant in his Third Status Report, submitted to the Court today, claims responsibility for the takedown of certain postings which Davis & Gilbert had taken down on or about November 19, 2014 (4 videos using debt3 account); on or about December 29, 2014 (4 videos using debt3 account and 7 videos using micaheldouglas2 account) see Defendant's Third

Status Report Section C, Pages 8 and 10. No videos under those account were active at any time after January 9, 2015. Those postings were found at:

- a. <http://www.dailymotion.com/debt3>;
 - b. <http://www.dailymotion.com/michaeldouglas2>; and
 - c. <http://ethicsgeek.com/news/john-howe-and-old-hill-partners-accused-of-harrassment-intimidation-and-retaliation-against/>
4. The videos at dailymotion.com were taken down by Davis & Gilbert via copyright take down requests.
 5. The ethicsgeek.com posting was taken down in the fall of 2014 as well
 6. As of today, the exact same 100+ postings that were up at the contempt hearing on February 20, 2015 are still up.

Sworn and subscribed to under the pains and penalties of perjury this 2 day of March, 2015.

A handwritten signature in blue ink, appearing to read "K. Smith", written over a horizontal line.

CERTIFICATE OF SERVICE

I, John F. Farraher, Jr., hereby certify that on March ___, 2015, I caused copies of the above pleading to be served all parties of record via this court's CM/ECF system electronic mail and/or first class mail, postage prepaid upon those persons not subscribed to receive notices through the CM/ECF system.

/s/ John F. Farraher, Jr. _____